

## REMARKS

Claims 1, 3-7, 21, 22 and 24-27 are pending in the instant application. Claims 1-7, 21, 22 and 24-27 presently stand rejected. Claims 1, 21 and 25 are amended and claim 2 is canceled herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

### *Claim Rejections – 35 U.S.C. § 102*

Claims 1 and 7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Rambaldi et al. (US 6,618,084).

A claim is anticipated only if each and every element of the claim is found in a single reference. M.P.E.P. § 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131 (citing *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226 (Fed. Cir. 1989)).

By way of this amendment, Applicant has incorporated the limitations of dependent claim 2 into independent claim 1. Thus, independent claim 1 now recites, in pertinent part, “...wherein the location processing means comprises a location shift register for indicating the digital location number of each of the pixels to the pixel array, the location comparator circuitry, and the location storage circuitry...”

The February 6, 2008 Office Action acknowledges at page 4 that Rambaldi fails to disclose the location processing means as including a location shift register. Consequently, Rambaldi fails to disclose each and every element of claim 1, as required under M.P.E.P. § 2131. Accordingly, Applicants request that the instant §102 rejection of claim 1 be withdrawn.

### *Claim Rejections – 35 U.S.C. § 103*

Claims 2, 21, 22 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rambaldi et al. (US 6,618,084) in view of Younse et al. (US 4,805,023).

Claims 3, 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rambaldi et al. (US 6,618,084) in view of Fossum et al. (US 6,611,288).

Claims 25-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rambaldi et al. (US 6,618,084) in view of Younse et al. (US 4,805,023) and Liang et al. (US 5,781,233).

Obviousness is a question of law based on underlying factual inquiries. The factual inquiries enunciated by the U.S. Supreme Court in *KSR Int'l C. v. Teleflex, Inc.*, No 04-1350 (U.S. Apr. 30, 2007) include the Graham factors of determining the scope and content of the prior art, ascertaining the differences between the claimed invention and the prior art, and resolving the level of ordinary skill in the pertinent art.

Once the Graham factual inquiries are resolved, the Examiner must explain why the difference(s) between the cited references and the claimed invention would have been obvious to one of ordinary skill in the art. The rationale used must be a permissible rationale. The USPTO has promulgated examination guidelines for determining obviousness in view of KSR in M.P.E.P. §2143(A)-(G). These KSR Guidelines enumerate permissible rationales and the findings of fact that must be made under the particular rationale.

It appears from the February 6, 2008 Office Action that the rationale used to support the rejection of dependent claim 2 is the rationale enumerated in M.P.E.P. §2143(A) (i.e., Combining Prior Art Elements According to Known Methods to yield Predictable Results). It is noted that M.P.E.P. §2143(A)(1) requires a factual finding “...*that the prior art included **each** element claimed...*” As mentioned above, the limitations of claim 2 have been incorporated into independent claim 1. Applicant respectfully submits that Rambaldi and Younse, whether taken individually or in combination fail to disclose, teach, or suggest each element of claim 1, as amended.

For example, as shown above, independent claim 1 now recites, in pertinent part, “...*wherein the location processing means comprises a location shift register for indicating the digital location number of each of the pixels to the pixel array, the location comparator circuitry, and the location storage circuitry...*” [Emphasis added]. Thus, amended claim 1 includes a location shift register for indicating digital location numbers to the pixel array.

Attention is kindly directed to the embodiment illustrated in Applicant's FIG. 3 and associated text. Here, Applicant discloses a location shift register 150. As can be seen from FIG. 3, location shift register 150 outputs location signals on lines 158 to cell array 101 (See also Applicant's specification at page 4, lines 18-20 and lines 21-26). That is, location shift register

150 is disclosed as outputting a digital location number to cell array 101 to indicate to cell array 101 which pixel to output on pixel signal line 108.

The February 6, 2008 Office Action cites to pixel address counter 15 of Younse's FIG. 2 as allegedly disclosing Applicant's location shift register. Applicant respectfully disagrees. As can be seen from FIG. 2 of Younse, pixel address counter 15 is configured to receive an input 17. Younse discloses in col. 3, lines 2-8, that input 17 steps the counter each time the scanning of the CCD has moved to a new address. Thus, Younse discloses incrementing the pixel address counter 15 *in response* to a new address being scanned by the CCD. ***Since Younse discloses incrementing pixel address counter 15 in response to a new address being scanned by the CCD, the reference necessarily fails to disclose a location shift register for indicating digital location numbers to a pixel array as presently claimed by Applicant.***

Stated another way, address counter 15 of Younse is responsive to its CCD performing a scan of a new address, while Applicants disclose that it is a pixel array that is responsive to a location shift register (i.e., location shift register outputs a digital location number to the pixel array indicating which pixel the pixel array is to output).

Neither Fossum, nor Lang cures the deficiencies of Rambaldi and Younse. Thus, the cited references fail to disclose each element of claim 1, as required under M.P.E.P. §2143. Independent claims 17 and 25 include similar nonobvious elements as independent claim 1. Accordingly, Applicants respectfully submit that claims 1, 17 and 25 are allowable over the cited references.

The dependent claims are novel and nonobvious over the cited references for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant §102 and §103 rejections of the dependent claims also be withdrawn.

## CONCLUSION

In view of the foregoing amendments and remarks, Applicant believes the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

## CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

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May 6, 2008

Date

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## CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS-Web on the date shown below.

/Elizabeth A. Garcia/  
*Elizabeth A. Garcia*

May 6, 2008  
*Date*